

EXHIBIT E

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

)	
IN RE AUTOMOTIVE PARTS)	Master File No. 12-md-02311
ANTITRUST LITIGATION)	
)	Case No. 2:2012-cv-00102
)	
IN RE:)	Hon. Marianne O. Battani
)	
WIRE HARNESS CASES)	Hon. Mona Majzoub
)	
THIS DOCUMENT RELATES TO:)	Master Gene J. Esshaki
)	
ALL DEALERSHIP ACTIONS)	
)	

**ORDER ON CERTAIN DEFENDANTS’
MOTION TO COMPEL DISCOVERY FROM DIRECT PURCHASER AND
AUTO DEALER PLAINTIFFS (Doc. No. 183 in 12-102)**

This matter having come before the Master upon Certain Defendants' Motion to Compel Discovery from Direct Purchaser and Auto Dealer Plaintiffs (Doc No. 183 in 12-102) and the Order of Reference by Judge Marianne O. Battani, and the Master having considered the Defendants' briefs and the Auto Dealers' briefs and held a conference call among counsel for Defendants and counsel for the Auto Dealer Plaintiffs, IT IS HEREBY ORDERED as follows:

- Defendants' request for financing and promotional information relating to acquisition of Automotive Wire Harness Systems and vehicles is DENIED as this information is irrelevant, not likely to lead to the discovery of relevant information, and is burdensome;

- Defendants' request for monthly payment information relating to acquisition of Automotive Wire Harness Systems and vehicles is DENIED as this information is irrelevant, not likely to lead to relevant information and its production is burdensome;
- Yazaki Request No. 15, for documents relating to Dealers' purchasing strategies is DENIED as this information is irrelevant, not likely to lead to discovery of relevant information, and its production is burdensome;
- Sumitomo's Request No. 17 is resolved by Auto Dealers' interrogatory response to Sumitomo Interrogatory No. 8 and there is no need for further discovery on this topic;
- Sumitomo Request No. 36, relating to Dealership financial documents is DENIED as this information is irrelevant, not likely to lead to relevant information, and is burdensome to produce;
- Defendants' request for Dealership budgets and cost guidelines is DENIED as this information is irrelevant, not likely to lead to relevant information, and is burdensome to produce;
- Yazaki Request No. 27, seeking various acquisition documents, is DENIED as duplicative of other requests;
- Defendants' request in Sumitomo Request No. 5, for responsive, non-privileged quality assessments made by Dealers is GRANTED by stipulation of the Parties as described in Dealership Plaintiffs' Sur-reply (ECF No. 206-1);
- Dealership Plaintiffs will produce responsive, non-privileged documents containing the following information regarding Dealership Plaintiffs' acquisition of Automotive Wire Harness Systems and vehicles containing Automotive Wire Harness Systems as set forth in Sumitomo's Requests Nos. 1(a)-(c)(iv) and 1(i), including: OEM, model, model year, quantity, repairs, list price, negotiated price, net price paid, the value of any trade-in allowance, and monetary incentives, discounts and rebates applied. Production of and agreement to produce documents containing this

information does not constitute waiver of Dealership Plaintiffs' general objections, including as to relevance and admissibility. Dealership Plaintiffs will also produce responsive, non-privileged documents requested in Sumitomo Requests Nos. 1(b), (e), (f), (h), (k), (l) and (n) as set forth in Dealership Plaintiffs' responses to said Requests. The Special Master issues no Order at this time on Defendants' Request for service agreements and warranties in Sumitomo Request No. 1(j);

- Defendants' request for responsive non-privileged documents Dealers used in responding to Sumitomo's Interrogatory No. 12 is GRANTED by stipulation of the Parties, as described in Dealership Plaintiffs' Sur-reply (ECF No. 206-1) and the remainder of Sumitomo Request No. 25 is DENIED as irrelevant, not likely to lead to relevant information and burdensome;
- Sumitomo Request No. 30, Defendants' request for all documents relied on for certain allegations in the Complaint is an impermissible contention request and is DENIED;
- Defendants' request for Dealer franchise agreements is DENIED without prejudice and may be revisited in connection with the Defendants' separate motion to compel downstream information.

This Order fully resolves Certain Defendants' Motion to Compel Discovery from Auto Dealer Plaintiffs.

Any party may file an objection to this Order within 21 days of the ECF filing date pursuant to the Order Appointing A Master (Doc No. 792 in 12-md-2311).

SO ORDERED.

Dated: October 16, 2014

/s/ Gene J. Esshaki
GENE J. ESSHAKI, MASTER

CERTIFICATE OF SERVICE

I certify that on October 16, 2014, I electronically filed the foregoing Order on Certain Defendants' Motion to Compel Discovery from Direct Purchaser and Auto Dealer Plaintiffs (Doc. No. 183 In 12-102) with the Clerk of the Court using the ECF system, which will send electronic notification to all counsel of record.

Dated: October 16, 2014

/s/ Gene J. Esshaki
GENE J. ESSHAKI, Special Master

4844-7330-3839, v. 1